

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER MBJ-0525 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">107551268</div>
INTERNATIONAL APPLICATION NO. PCT/EP2004/002254	INTERNATIONAL FILING DATE 5 March 2004	PRIORITY DATE CLAIMED 3 April 2003
TITLE OF INVENTION Cement Additive		
APPLICANT(S) FOR DO/EO/US Toshimi MATSUMOTO; Sven ASMUS; Gerhard ALBRECHT; Klaus LORENZ; Petra WAGNER; Christian SCHOLZ		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Written Opinion of ISA; Copies cited references; search report; Publication WO2004/087602 A1 PCT Notification of Decision Concerning Request for Rectification 		

This collection of information is required by 37 CFR 1.414 and 1.491–1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/551268</div>		INTERNATIONAL APPLICATION NO. PCT/EP2004/002254		ATTORNEY'S DOCKET NUMBER MBJ-0525	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/>	Basic national fee	\$300.00	\$ 300.00	
22.	<input checked="" type="checkbox"/>	Examination fee			
		If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	\$100.00		
		All other situations	\$200.00	\$ 200.00	
23.	<input checked="" type="checkbox"/>	Search fee			
		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO has an International Searching Authority	\$100.00		
		International Search Report prepared and provided to the Office	\$400.00	\$ 400.00	
		All other situations	\$500.00		
TOTAL OF 21, 22 and 23 =				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
25	-100 = 0	/50 = 0	x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	X \$50.00	\$ 0.00	
Independent claims	1 - 3 =	0	X \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 900.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>900.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3275</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer No. 23565			SIGNATURE: Joseph G. Curatolo, Esq. NAME 28837 REGISTRATION NUMBER		

10/551268

JC12 Rec'd PCT/PTC 29 SEP 2005

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September 29, 2005

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Joan R. Barris
(type or print name of person signing paper)

Joan R. Barris
(signature of person mailing paper)

9-29-2005
(date)

TRANSMITTAL SHEET FOR PATENT APPLICATION

Dear Sirs:

Transmitted herewith is a written application for a patent filed pursuant to 35 USC §371, which is a national stage application of International Application No. PCT/EP2004/002254, filed 5 Mar 2004, which claims the benefit of JP 2003-100709, filed 3 Apr 2003, from which applications priority is claimed.

Express Mail No. EV698629899US

Docket No. MBJ-0525

Title: Cement Additive

Inventors: Toshimi MATSUMOTO, Sven ASMUS, Gerhard ALBRECHT,
Klaus LORENZ, Petra WAGNER, Christian SCHOLZ,

Assignee: Construction Research & Technology GmbH
Dr. Albert-Frank-Strasse 32
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Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account (2 pages - in duplicate)

Transmittal Letter United States Designated/Elected Office Concerning Filing Under 35USC371 (PTO-1390) (2 pages)

Combined Declaration and Power of Attorney, Unexecuted (2 pages)
Specification (20 Pages Description, 4 Pages Claims, 1 Page Abstract)
Copy PCT Notification of Decision Concerning Request for Rectification
Preliminary Amendment (9 pages)
Application Data Sheet
Copy - International Search Report
Copy - Written Opinion of the International Searching Authority
Copy - International Publication No. WO 2004/087602 A1
Information Disclosure Statement
Form PTO/SB08A&B
Copies of Cited References (5)
Check in the amount of \$900.00
Return Receipt Postcard

Authorization to Charge Deposit Account

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees for Docket No. MBJ-0525 that might be required to effect the filing of this (these) document (s) to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,



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29 September 2005

Date